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## NOTICE OF ALLOWANCE AND FEE(S) DUE

26294

7590

08/05/2010

TAROLLI, SUNDHEIM, COVELL & TUMMINO L.L.P.  
1300 EAST NINTH STREET, SUITE 1700  
CLEVELAND, OH 44114

EXAMINER

SCHAPER, MICHAEL T.

ART UNIT

PAPER NUMBER

3775

DATE MAILED: 08/05/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/09/606

09/27/2004

Henrik Hansson

HW-7319

2293

TITLE OF INVENTION: DEVICE FOR EXTRACTION OF PINS AT FIXATION MEANS FOR FIXATION OF BONE FRAGMENTS AT BONE FRACTURES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	11/05/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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**Complete and send this form, together with applicable fee(s), to:** Mail **Mail Stop ISSUE FEE**  
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26294 7590 08/05/2010

**TAROLLI, SUNDHEIM, COVELL & TUMMINO L.L.P.**  
**1300 EAST NINTH STREET, SUITE 1700**  
**CLEVELAND, OH 44114**

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/509,606 09/27/2004

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**TITLE OF INVENTION: DEVICE FOR EXTRACTION OF PINS AT FIXATION MEANS FOR FIXATION OF BONE FRAGMENTS AT BONE FRACTURES**

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nonprovisional

NO

\$1510

\$300

\$0

\$1810

11/05/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
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SCHAPER, MICHAEL T

3775

606-104000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

1

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☐ Issue Fee

☐ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

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Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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10/509,606	09/27/2004	Henrik Hansson	HW-7319	2293
26294	7590	08/05/2010	EXAMINER	
SCHAPER, MICHAEL T.				
ART UNIT			PAPER NUMBER	

3775

DATE MAILED: 08/05/2010

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 38 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 38 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability****Application No.**

10/509,606

**Applicant(s)**

HANSSON, HENRIK

**Examiner**

MICHAEL T. SCHAPER

**Art Unit**

3775

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment of 17 May 2010 and current Examiner's Amendment.
2. ☒ The allowed claim(s) is/are 1,5,6,8-14 and 17-24.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

/MICHAEL T. SCHAPER/  
Examiner, Art Unit 3775

/Thomas C. Barrett/  
Supervisory Patent Examiner, Art Unit 3775

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jim Tarolli on 30 July 2010.

The application has been amended as follows:

Please **REPLACE** Claim 1 with the following:

A combination of a fixation means for fixation of bone fragments at bone fractures and an extraction device for extracting the fixation means, the extraction device being removably connected to said fixation means,

the fixation means comprising a sleeve and at least one pin provided in said sleeve,

the extraction device comprising an inner extraction member removably connected to the pin of the fixation means, an outer extraction member removably connected to the sleeve of the fixation means, and an extraction handle that rotates relative to the outer and inner extraction members in order to extract the pin in a direction of extraction relative to the outer extraction member and the sleeve, the direction of extraction extending along a longitudinal axis of the outer extraction member,

the inner extraction member being inserted into the outer extraction member and being axially movable relative to the outer extraction member, the outer extraction member being manually holdable in order to prevent the outer extraction member from rotating when the extraction handle is rotated,

the outer and inner extraction members being respectively provided with rotary preventing members that directly engage one another in order to prevent the inner extraction member from rotating relative to the outer extraction member during extraction of the pin,

the rotary preventing members of the outer extraction member being non-circular cross-sectional parts of a through hole in the outer extraction member, the rotary preventing members of the inner extraction member being non-circular cross-sectional parts,

the rotary preventing members of the outer extraction member are provided in a rear end portion of the outer extraction member,

the rotary preventing members of the inner extraction member are provided on a rear end portion of the inner extraction member,

the lengths of the inner and outer extraction members and the location and shape of the rotary preventing members are chosen such that the extraction handle can cooperate with the inner extraction member in order to draw the inner extraction member backwards in the direction of extraction when the inner extraction member is inserted into the outer extraction member so that the rotary preventing members directly engage one another, and

wherein a front end portion of the inner extraction member has a hole with inner threads which mesh with outer threads of the pin, and the hole of the inner extraction member has an inlet without threads, the inlet tapering conically in a direction inwards into the hole.

Please **REPLACE** Claim 5 with the following:

The combination according to claim 1, wherein the extraction device comprises at least one part limiting the extraction in order to ensure that the extraction handle, through the inner extraction member, draws the pin backwards relative to the sleeve so that a tip of the pin is situated in an opening of the sleeve, and thereby cooperates with a rear edge of the opening such that the pin, through said cooperation with the rear edge of the opening, draws the sleeve backwards in the direction of extraction when the sleeve is pulled out of the bone fragment by means of the extraction handle.

Please **REPLACE** Claim 6 with the following:

The combination according to claim 5, wherein the extraction limiting part comprises one of outer threads on the extraction handle and inner threads on the inner extraction member having such length that the length of screwing together of the extraction handle and the inner extraction member is limited.

Please **CANCEL** Claim 7.

Please **REPLACE** Claim 8 with the following:

The combination according to claim 1, wherein the inner extraction member has a front end portion with such outer dimensions that it can be inserted into a rear end portion of the sleeve.

Please **REPLACE** Claim 9 with the following:

The combination according to claim 8, wherein the front end portion of the inner extraction member, which can be inserted into a rear end portion of the sleeve, transforms into inner portions of the inner extraction member having larger outer dimensions through an edge which can engage a rear edge of the sleeve when the inner extraction member is operating.

Please **REPLACE** Claim 10 with the following:

The combination according to claim 1, wherein the inner extraction member is an elongated rod and has a front end portion with a hole which is provided with inner threads which mesh with outer threads on the pin, the inner extraction member has a rear end portion with a hole with inner threads which mesh with outer threads on the extraction handle, the outer extraction member is an elongated sleeve which is open at both ends, and the inner extraction member fits into the outer extraction member and is axially displaceable in relation thereto.

Please **REPLACE** Claim 11 with the following:



The combination according to claim 10, wherein the inner extraction member includes lateral holes which extend into the holes with the inner threads such that the holes can be flushed clean through the lateral holes.

Please **REPLACE** Claim 12 with the following:

The combination according to claim 1, wherein the outer extraction member has a laterally directed handle for holding the outer extraction member such that it does not rotate when the pin is drawn in the direction of extraction.

Please **REPLACE** Claim 13 with the following:

The combination according to claim 1, wherein the device consists of only an inner extraction member, an outer extraction member and an extraction handle.

Please **REPLACE** Claim 14 with the following:

The combination according to claim 1, wherein the opening in the sleeve of the fixation means is round or oval or substantially round or oval, and the front part of the pin has a rounded side by means of which it can cooperate with front parts of an opening in the sleeve, and another side, opposite to said rounded side, which is flat or substantially flat and which can cooperate with rear parts of the opening.

Please **REPLACE** Claim 17 with the following:

A combination of a fixation assembly, which fixes bone fragments at bone fractures and a device for extracting the fixation assembly, the fixation assembly comprising a sleeve and at least one pin provided in said sleeve, the extraction device being removably connected to said fixation assembly and comprising:

an inner extraction member removably connected to the pin of the fixation assembly;

an outer extraction member removably connected to the sleeve of the fixation assembly; and

an extraction handle that rotates relative to the outer and inner extraction members in order to extract the pin in a direction of extraction relative to the outer extraction member and the sleeve, the direction of extraction extending along a longitudinal axis of the outer extraction member;

the inner extraction member being insertable into the outer extraction member and being axially movable relative to the outer extraction member, the outer extraction member being manually engageable to prevent the outer extraction member from rotating when the extraction handle is rotated,

the outer and inner extraction members being provided with rotary preventing members that directly engage one another to prevent the inner extraction member from rotating relative to the outer extraction member during extraction of the pin, the rotary preventing members of the outer extraction member being non-circular cross-sectional parts of a through hole in the outer extraction member, the rotary preventing members of the inner extraction member being non-circular cross-sectional parts,

wherein a front end portion of the inner extraction member has a hole with inner threads) which mesh with outer threads of the pin, and the hole of the inner extraction member has an inlet) without threads, the inlet tapering conically in a direction inwards into the hole.

Please **REPLACE** Claim 18 with the following:

The combination according to claim 1, wherein the rotary preventing members of the outer extraction member include at least one axially extending flat surface on the outer extraction member, the rotary preventing members) of the inner extraction member including at least one axially extending flat surface on the inner extraction member that directly engages the at least one axially extending flat surface on the outer extraction member.

Please **REPLACE** Claim 19 with the following:

The combination according to claim 1, wherein the rotary preventing members prevent the inner extraction member from rotating relative to the outer extraction member about a longitudinal axis of the inner extraction member in first and second opposite directions.

Please **REPLACE** Claim 20 with the following:

The combination according to claim 17, wherein the rotary preventing members prevent the inner extraction member from rotating relative to the outer extraction member about

a longitudinal axis of the inner extraction member in first and second opposite directions.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL T. SCHAPER whose telephone number is (571)270-7413. The examiner can normally be reached on M-F, 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Barrett can be reached on (571)272-4746. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. T. S./  
Examiner, Art Unit 3775

/Thomas C. Barrett/  
Supervisory Patent Examiner, Art  
Unit 3775